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PATENT

Customer No. 22,852 Attorney Docket No. 06502-0260-00000

## N THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Brian Murphy, et al.

Application No.: 09/441,458

Filed: November 17, 1999

LOOKUP DISCOVERY SERVICE

Commissioner for Patents and Trademarks Washington, DC 20231

Group Art Unit: 2756 2 \( \)

Examiner: Unknown

NOV 0 7 2001
Technology Center 2100

Sir:

For:

## **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determines that the cited documents do not constitute "prior art" under United States law, applicant

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reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: November 5, 2001

Leonard Smith,

Reg. No. 45,118

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